

**REMARKS**

The present amendments and remarks are in response to the Final Office Action dated June 14, 2006 wherein the Examiner rejects claims 39-52. By the present amendment, Applicant amends claims 39-52 and adds new dependent claim 53. Reconsideration and allowance of claims 39-53 in view of the amendments and the following remarks are respectfully requested.

**A. Rejection of Claims Under 35 USC § 103**

The Examiner has rejected independent claims 39 and 45, as being unpatentable over Hutchison (US 6,449,476) in view of Kuroda (US 6457174). Applicant respectfully disagrees, however, to expedite the prosecution of this patent application, Applicant has amended the independent claims and the claims dependent thereupon to further clarify the claimed inventions. Specifically, the Examiner notes that the claims do not specify the difference between storage sections. In response, the independent claims are amended to further define the storage sections to distinguish the claimed inventions from the cited references. The system software storage configuration as now claimed is not taught or suggested in the cited references as explained further below.

Specifically, the independent claims comprise a file system section, a code storage section, and a patch manager code section, all of which are located in a nonvolatile memory of the device. The file system section receives a system software update that comprises an update code section and an update patch manager. The code storage section comprises code sections, wherein each code section comprises at least one symbol library. The patch manager code section comprises a code section address table and a symbol offset address table for locating a symbol of the at least one symbol library.

The cited references of Hutchison and Kuroda fail to disclose or suggest the limitations as claimed in the independent claims. Accordingly, Applicant respectfully submits that independent claims 39 and 45, and their corresponding

dependent claims 40-44 and 46-53 are patentable over the cited references of record, and should now be allowed.

**B. Conclusion**

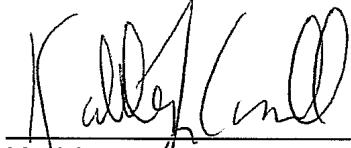
For all the foregoing reasons, a Notice of Allowance directed to claims 39-53 pending in the present application is respectfully requested.

The fees for an RCE and a one (1) month extension of time is filed herewith by EFS. The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp.

Applicant requests that the Examiner telephone the attorney for Applicant at the telephone number listed below should the Examiner believe that prosecution of this application might be expedited by further discussion of the issues.

Respectfully Submitted;

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